

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1625 - SB 1617

January 15, 2020

SUMMARY OF BILL: Creates an offense to intentionally obtain mail from another person's mailbox or premises without the consent of the addressee and with the intent to deprive the addressee of the mail.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$37,200 Incarceration*

Assumptions:

- Pursuant to 18 United States Code § 1708, stealing mail is a federal crime punishable by up to \$250,000 and imprisonment of up to five years.
- Under current law in Tennessee, intentionally taking mail from another person's mailbox or premises without the consent of the addressee and with the intent to deprive the addressee of the mail can be charged as theft of property or services and graded per Tenn. Code Ann. § 39-14-105.
- The proposed legislation creates an offense to intentionally take mail from another person's mailbox or premises without the consent of the addressee and with the intent to deprive the addressee of the mail, punishable as theft under Tenn. Code Ann. § 39-14-103 after determining the value under Tenn. Code Ann. § 39-14-105, but the punishment for three or more pieces of mail must not be less than a Class E felony.
- The proposed legislation will result in one Class E felony admission every year.
- Population growth and recidivism will not impact these admissions.
- According to the Department of Correction, the average operating cost per offender per day for calendar year 2020 is \$75.52.
- The average time served for a Class E felony 1.35 years.
- Pursuant to Tenn. Code Ann. § 9-4-210, one offender will be admitted every year serving 493.09 days (1.35 x 365.25). The annualized increase in state incarceration expenditures is estimated to be \$37,238 (\$75.52 x 493.09 x 1).
- Any impact on the court system is estimated to be not significant.

*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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